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Consideration of issues in the area of insolvency law

Finalization and adoption of a model law on cross-border recognition and enforcement of insolvency-related judgments and its guide to enactment

Compilation of comments on the draft model law on the recognition and enforcement of insolvency-related judgments as contained in an annex to the report of Working Group V (Insolvency Law) on the work of its fifty-second session (A/CN.9/931)

Addendum

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II. Compilation of comments [*continued A/CN.9/956*]

A. Governments [*continued*]

9. Turkey

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The Article 2.c. of the Draft Model law stipulates that *"Judgment means any decision whatever it may be called, issued by a court or administrative authority,* ***provided an administrative decision has the same effect as a court decision****. For the purposes of this definition, a decision includes a decree or order, and a determination of costs and expenses by the court. An interim measure of protection is not to be considered a judgment for the purposes of this Law."*

The Permanent Mission, in this context, declares hereby that the judgment in Turkish legislation, is limited by the decisions issued only by a court authority. Decisions of the administrative authorities in Member States, by no means, are recognized as a "judgment" according to Turkish national law.